

January 7, 2003

Re: Medical Dispute Resolution
MDR #: M2-03-0387-01
IRO Certificate No.: IRO 5055

Dear:

In accordance with the requirement for TWCC to randomly assign cases to IROs, TWCC assigned your case to ____ for an independent review. ____ has performed an independent review of the medical records to determine medical necessity. In performing this review, ____ reviewed relevant medical records, any documents provided by the parties referenced above, and any documentation and written information submitted in support of the dispute.

The independent review was performed by a matched peer with the treating health care provider. Your case was reviewed by a physician who is Board Certified in Orthopedic Surgery.

I am the Secretary and General Counsel of ____ and I certify that the reviewing physician in this case has certified to our organization that there are no known conflicts of interest that exist between him and any of the treating physicians or other health care providers or any of the physicians or other health care providers who reviewed this case for determination prior to referral to the Independent Review Organization.

We are simultaneously forwarding copies of this report to the payor and the Texas Workers' Compensation Commission. This decision by ____ is deemed to be a Commission decision and order.

Clinical History:

This 43-year-old male claimant injured his left knee on _____. He underwent two arthroscopic surgeries, one in December 2000, and another in October 2001, with meniscal tears described and debrided at both procedures. Continued pain and effusion have not responded to physical therapy and joint injections.

Disputed Services:

A third left knee arthroscopy.

Decision:

The reviewer disagrees with the determination of the insurance carrier. The reviewer is of the opinion that the procedure in question is medically necessary in this case.

Rationale for Decision:

Substantial evidence exists from clinical and imaging examinations to justify a third arthroscopic procedure in order to best visualize problems remaining within the left knee joint, and to realistically anticipate improving pain and function in this knee.

Arthrogram and post-contrast CT on 04/03/02 show joint effusion, partial tears of medial and lateral menisci, muscle atrophy, and a small popliteal synovial cyst. Persistent effusion indicates an ongoing intra-articular lesion or lesions not yet corrected. This may be related to recurrent or residual meniscus tears, and/or to early degenerative joint disease. The left knee is lacking normal stability; and, there is evidence of at least mild laxity of the medial collateral ligament and anterior cruciate ligament. Apparent ACL deficiency may be due, in part or all, to miniscal lesions.

YOUR RIGHT TO REQUEST A HEARING

Either party to this medical dispute may disagree with all or part of this decision and has a right to request a hearing.

If disputing a spinal surgery prospective decision a request for a hearing must be in writing and it must be received by the TWCC Chief Clerk of Proceedings within ten (10) days of your receipt of this decision (28 Tex. Admin. Code 142.5©).

If disputing other prospective medical necessity (preauthorization) decisions a request for a hearing must be in writing and it must be received by the TWCC Chief Clerk of Proceedings within twenty (20) days of your receipt of this decision (28 Tex. Admin. Code 148.3).

This Decision is deemed received by you **five (5) days** after it was mailed (28 Tex. Admin. Code 102.4(h) or 102.5 (d)). A request for a hearing should be sent to:

Chief Clerk of Proceedings
Texas Workers' Compensation Commission
P.O. Box 40669
Austin, TX 78704-0012

A copy of this decision should be attached to the request. The party appealing the decision shall deliver a copy of its written request for a hearing to all other parties involved in the dispute.

I hereby verify that a copy of this Independent Review Organization (IRO) Decision was sent to the carrier, the requestor and claimant via facsimile or U.S. Postal Service from the office of the IRO on January 7, 2003.

Sincerely,